

REMARKS

Claims 1 and 14 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner contends that claims 1 and 14 as previously amended indicate "that both of the signaling channels are to be used together or simultaneously." Page 3 of the present office action. The applicants disagree with the Examiner's interpretation of the previously amended language. The applicants in fact stated that the "claims [1 and 14] **specifically** describe indicating to the MS an identity of the at least one base site and an identity of an outbound link for the dispatch call at the at least one base site. Moreover, the claims describe conveying **this specific information** either by signaling in-band on the first outbound link (which is also used for transmitting the dispatch call) or by signaling via a paging channel." Page 9 of the applicants' November 23, 2004 amendment and response. Nonetheless, the applicants have reworded claims 1 and 14 to make it even more clear that the manner of signaling is either signaling in-band on the first outbound link or signaling via a paging channel, but not signaling by both of the signaling channels together or simultaneously, as contended by the Examiner.

Claims 1-7, 10, 11, 13-19 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chinitz (U.S. Patent Number 5,914,958) in view of Han (U.S. Patent Number 6,321,089). Respectfully disagreeing with these rejections, reconsideration is requested by the applicants.

As amended, independent claim 1 recites, "the step of indicating the identity of the at least one base site and the identity of an outbound link comprises signaling in one of the manners of signaling that are included in the group consisting of **signaling in-band on the first outbound link and signaling via a paging channel**" (emphasis added). As amended, independent claim 14 recites, "adapted to instruct the transmitter to transmit the dispatch call via the first outbound link...and adapted to indicate to the MS using the transmitter an identity of the at least one base site and an identity of an outbound link for the dispatch call at the at least one base site, wherein the controller instructs the transmitter to transmit signaling to indicate the identity of the at least one base site and the identity of an outbound link in one of the manners of signaling that are

included in the group consisting of signaling in-band on the first outbound link and signaling via a paging channel" (emphasis added). The applicants do not understand the Examiner to be asserting that the prior art teaches, suggests, or makes obvious, the manner in which the identity of the at least one base site and the identity of an outbound link are conveyed, as claimed.

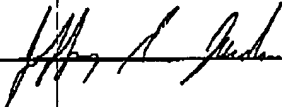
Thus, the applicants submit that the cited art fails to teach all of the limitations of either independent claims 1 or 14. The claims specifically describe indicating to the MS an identity of the at least one base site and an identity of an outbound link for the dispatch call at the at least one base site. Moreover, the claims describe conveying this information specifically either by signaling in-band on the first outbound link (which is also used for transmitting the dispatch call) or by signaling via a paging channel.

Since none of the references cited, either independently or in combination, teach all of the limitations of independent claims 1 or 14, or therefore, all the limitations of their respective dependent claims, it is asserted that neither anticipation nor a prima facie case for obviousness has been shown. No remaining grounds for rejection or objection being given, the claims in their present form are asserted to be patentable over the prior art of record and in condition for allowance. Therefore, allowance and issuance of this case is earnestly solicited.

The Examiner is invited to contact the undersigned, if such communication would advance the prosecution of the present application. Lastly, please charge any additional fees (including extension of time fees) or credit overpayment to Deposit Account No. 502117 – Motorola, Inc.

Respectfully submitted,
M. Needham et al.

By: _____


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